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DATE OF DEPOSIT: Dec 8, 2009

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Jackie L. Pitre

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Application No. 09/969,015 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

4. Applicant is the owner of all rights in U.S. Patent Application No. 09/969,022. Applicant certifies that it is the assignee of the entire right, title and interest in U.S. Patent Application No. 09/969,022 by virtue of an assignment from the inventors of the patent application.

5. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable only for and during such period that the patent and any patent granted on U.S. Patent Application No. 09/969,022 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

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U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application Nos. 09/969,015, 09/969,022, or 09/969,019.

9. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of a patent granted on U.S. Patent Application Nos. 09/969,015, 09/969,022, or 09/969,019, as presently shortened by any terminal disclaimer, in the event that the patent granted on U.S. Patent Application No. 09/969,015, 09/969,022, or 09/969,019 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

10. The Terminal Disclaimer fee under 37 CFR 1.20(d) is included.

By: 

Eric B. Meyertons
Reg. No. 34,876
Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. Box 398
Austin, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: Dec 8, 2009